

REED SMITH LLP

A limited liability partnership formed in the State of Delaware

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14 UNITED STATES DISTRICT COURT
15 CENTRAL DISTRICT OF CALIFORNIA
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17 VANESSA RUGGLES, individually and on
behalf of all others similarly situated,

18 Plaintiffs,

19 vs.

20 NATIONSTAR MORTGAGE, LLC, a
21 Delaware limited liability company,

22 Defendant.
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Case No.: 5:14-CV-00363-BRO-FFM

**STIPULATION TO TRANSFER THIS
CASE TO THE NORTHERN DISTRICT
OF CALIFORNIA**

Honorable Beverly Reid O'Connell

Defendant Nationstar Mortgage, LLC (“Nationstar”) and Vanessa Ruggles (“Plaintiff”), by and through their respective counsel of record, hereby enter into this stipulation for an order transferring this case to the Northern District of California pursuant to 28 U.S.C. Section 1404(a), with reference to the following facts.

RECITALS

1. On February 21, 2014, in the United States District Court for the Northern District of California, plaintiffs Robert Jordan, Sean Halbert and Dana Skelton filed a putative class action against Nationstar (the “*Jordan* action”), captioned *Jordan et al v. Nationstar Mortgage LLC*, No. 3:14-cv-00787-WHO, alleging that Nationstar placed calls to their cellular telephones using an automated telephone dialing system or a prerecorded voice in violation of the Telephone Consumer Protection Act (“TCPA”), 28 U.S.C. § 227 *et seq.*;

2. On February 26, 2014, five days after the *Jordan* action was filed, Plaintiff filed the instant class action (“the *Ruggles* action”) in the Central District of California, in which Plaintiff alleges that Nationstar placed calls to cellular telephones using an automated telephone dialing system or a prerecorded voice in violation of the TCPA, 28 U.S.C. § 227 *et seq.*;

3. The *Ruggles* action involves substantially the same parties and substantially the same subject matter as the *Jordan* action;

4. The putative class of plaintiffs and the causes of action are nearly identical in the *Jordan* and *Ruggles* actions, as the plaintiffs in both actions seek to represent a national class of individuals who received calls to their cellular telephones from Nationstar in violation of the TCPA, 28 U.S.C. § 227 *et seq.*;

5. Further, Nationstar is the only named defendant in both the *Jordan* and *Ruggles* actions.

WHEREAS, the parties move to transfer the *Ruggles* action to the Northern District of California pursuant to 28 U.S.C. Section 1404(a), which permits a civil action to be transferred to any district where the case could have been originally filed for the convenience of the parties and witnesses, and in the interests of justice;

WHEREAS, Nationstar does not contest venue in the Northern District of California;

WHEREAS, the interests of justice would be served if this action were transferred to the Northern District of California because it would avoid an unnecessary burden on the federal judiciary and the possibility of conflicting judgments;

WHEREAS, the *Jordan* action was filed prior to the filing of the complaint in the *Ruggles* action, and thus transfer to the Northern District of California is proper;

STIPULATION

THEREFORE, Plaintiff and Nationstar hereby jointly move for an order transferring this case to the Northern District of California pursuant to 28 U.S.C. Section 1404(a).

IT IS SO STIPULATED.

DATED: May 15, 2014

REED SMITH LLP

By: /s/ Raymond Y. Kim
Raymond Y. Kim
Attorneys for Defendant
Nationstar Mortgage, LLC

DATED: May 15, 2014

LAW OFFICES OF MICHAEL P. SOUSA

By: /s/ Michael P. Sousa
Michael P. Sousa
Attorneys for Plaintiff
Vanessa Ruggles

ATTESTATION OF SIGNATURE

I, Raymond Y. Kim, am the ECF User whose ID and Password were used to electronically file this Stipulation to Transfer this Case to the Northern District of California. Pursuant to Central District of California Local Rule 5-4.3.4(a)(2), I hereby attest that all other signatories listed, and on whose behalf this filing is submitted, concur in the content of this filing and have authorized the electronic filing

thereof.

/s/ Raymond Y. Kim
Raymond Y. Kim, Esq.

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